



DAE
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
Application No. : 10/034,030
Filed : December 19, 2001
For : METHOD OF FABRICATING A
CERAMIC SUBSTRATE WITH A
THERMAL CONDUCTIVE PLUG OF
A MULTI-CHIP PACKAGE

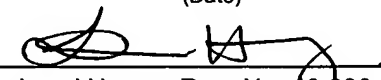
Examiner : TRINH, MINH N.
Art Unit : 3729

Certificate of Mailing

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

October 26, 2005

(Date)


Jiawei Huang, Reg. No. 43,330

TRANSMITTAL SHEET

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

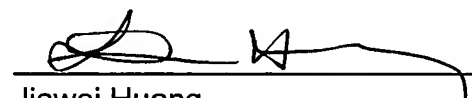
Enclosed herewith are:

- (X) Petition to Withdraw Holding of Abandonment Under 37 CFR 1.181.
- (X) Copy of Notice of Abandonment.
- (X) Attachment 1, 2, 3, 4, 5, 6.

(X) It is believed no fee is due. However, the Commissioner is authorized to charge any fees required, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 50-0710 (Order No. JCLA8482-R).

Date: 10/26/2005

Correspondence Address:
J.C. Patents
4 Venture, Suite 250
Irvine, California 92618
Tel: (949) 660-0761


Jiawei Huang
Registration No. 43,330



In re application of:)
Application No.: 10/034,030)
Filed: December 19,2001)
For: METHOD OF FABRICATING A CERAMIC)
SUBSTRATE WITH A THERMAL)
CONDUCTIVE PLUG OF A MULTI-CHIP)
EXAMINER)
Examiner: TRINH, MINH N.)
Art Unit: 3729)

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
Under 37 C.F.R. §1.181

COMMISSIONER FOR PATENTS
P.O. Box 1450
ALEXANDRIA, VA 22313

Applicant received a NOTICE OF ABANDONMENT dated September 30, 2005, indicating that the above-identified application is abandoned for failure to timely file a proper reply to the Office letter mailed on March 11, 2005 and for improper filing of a RCE along with the lacking of the funding for RCE and extension of time has not been paid.

Applicant submits that ALL of the reasons for the abandonment of the instant application stated in the Notice of Abandonment are incorrect. As can be seen from the evidences provided below, the patent office made one mistake after another in handling this application.

In response to a final Office Action dated April 2, 2004, Applicant filed a response on June 28, 2004 via facsimile. The Auto-Reply Facsimile Transmission from the patent office dated June 28, 2005 confirmed the receipt of the response of June 28, 2005. See the Attachment 1 enclosed herewith, which is a copy of the Auto-Reply Facsimile Transmission and the response of June 28, 2005.

Not receiving any further office action on the response of June 28, 2005, the undersigned contacted the Examiner, Mr. Minh Trinh, over the phone on September 22, 2004, inquiring the status of the application. According to Mr. Minh Trinh, the response of June 28, 2004 has been listed on PALM, but not available on IFE for process at the time. See the Attachment 2 enclosed herewith, which is a copy of the Interview Summary dated September 27, 2004.

On October 4, 2004 (the last date of the six months statutory deadline for a reply), the undersigned contacted Mr. Trinh again, and Mr. Trinh indicated that the response was still not available for him to review. Therefore, Applicant filed a Request for Continued Examination (RCE) on October 4, 2005 to avoid the amendment of this application. See the Attachment 3 enclosed herewith, which is a copy of the RCE.

After filing the RCE, Applicant received a Notice of Improper Request for Continued Examination dated October 22, 2004. However, the Notice of Improper Request for Continued Examination did not give any specific reason why the RCE filed on October 4, 2005 is improper. Applicant believes the RCE of October 4, 2004 is proper and the Notice of Improper Request for Continued Examination is in error. See the Attachment 4, which is a copy of the Notice of Improper Request for Continued Examination.

At the Examiner's request, Applicant resubmitted a copy of the response of June 28, 2004 on October 28, 2004. See the Attachment 5, which is the cover sheet of the submission of October 28, 2004.

Thereafter, an Advisory Action was issued on March 11, 2005. The Advisory Action indicated that the reply filed on October 28, 2004 fails to place the application in condition for allowance and that the period for reply expires 6 months from the mailing date of the final rejection.

Applicant submits that the Advisory Action is improper and legally invalid for the following reasons. First, the Examiner indicated that the Advisory Action was made on the Applicant's reply filed on October 28, 2004. However, there was/is no such reply filed on October 28, 2004. On October 28, 2004, Applicant merely resubmitted a copy of the response of June 28, 2004 at the Examiner's request because, after filed four months and much communications between the undersigned and the Examiner, the patent office still had difficulty to process and locate the response of June 28, 2004. Secondly, the Advisory Action indicated that the period for reply expires 6 months from the mailing date of the final rejection. The mailing date of the final rejection is April 2, 2004, in other ward, when the Advisory Action was sent out the period for reply already expired. It is, therefore, impossible for the Applicant to file a timely reply to the Advisory Action. In addition, the "reply" of October 28, 2004 is beyond the 6 months period, Therefore, without the RCE of October 4, 2004, the application would have become abandoned, an Advisory Action should not be made on an "abandoned" application. Thirdly, a first office action, instead of an Advisory Action, should have been made based on the RCE filed on October 4, 2004.

After receiving the Advisory Action, effort has been made to contact staff of the patent office to resolve this issue, including discussing with Examiner Tugbang over the phone. We were told that this issue would be resolved.

However, a Notice of Abandonment was issued on September 30, 2005. The Notice of Abandonment stated the reason for abandonment as improper filing an RCE along with the lacking of the funding for RCE and extension of time. Applicant submits that the RCE filed on October 4, 2004 as shown in the Attachment 3 is proper. In fact, the patent office has never pointed out why the RCE is improper. See the Attachment 4. As for the funding for RCE, the undersigned has authorized the patent office to charge our deposit account No. 50-0710 for the RCE fee and three month time extension fee. There was enough fund in our deposit account during that period of time. See the Attachment 6, which is copy of the Deposit Account Statement for October 2004 for our deposit account No. 50-0710.

From the above, it is clear that Applicant timely filed a response to the final Office Action, but

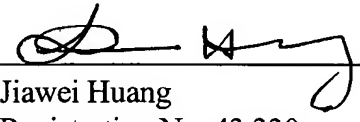
the Examiner was unable to act on it because of the inefficiency of the patent office. In order to avoid abandonment, Applicant had to file a RCE on the last day of the statutory deadline. In the RCE, Applicant has requested the patent office to consider the reply filed on June 28, 2004 (the patent office has confirmed that the reply of June 28, 2004 was received.) and authorized the patent office to charge our deposit account for the RCE fee and time extension fee (as shown in the attached Deposit Account Statement of October 2004, there was sufficient fund in the account at that time). But the patent office asserted that the RCE is improper without giving specific reasons and the Examiner issued an Advisory Action to which there is no way to respond.

In view of the above evidences, the above-identified application has not been abandoned. The patent office should withdraw the holding of abandonment and examine this application based on the RCE filed on October 4, 2004.

Date: 10/26/2005

4 Venture, Suite 250
Irvine, CA 92618
Tel.: (949) 660-0761

Respectfully submitted,
J. C. PATENTS



Jiawei Huang
Registration No. 43,330



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,030	12/19/2001	Gwo-Ji Horng	JCLA8482	9497

23900 7590 09/30/2005

J C PATENTS, INC.
4 VENTURE, SUITE 250
IRVINE, CA 92618

EXAMINER

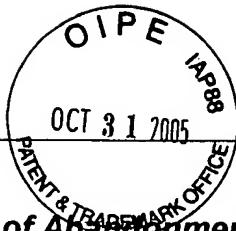
TRINH, MINH N

ART UNIT PAPER NUMBER

3729

DATE MAILED: 09/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



Notice of Abandonment

Application No.

10/034,030

Examiner

Minh Trinh

Applicant(s)

HORNG ET AL.

Art Unit

3729

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 11 March 2005.

(a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.

(b) ☒ A proposed reply was received on 7/02/04, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.

(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).

(c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).

(d) ☐ No reply has been received.

2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).

(a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).

(b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.

The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.

(c) ☐ The issue fee and publication fee, if applicable, has not been received.

3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).

(a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.

(b) ☐ No corrected drawings have been received.

4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

7. ☒ The reason(s) below:

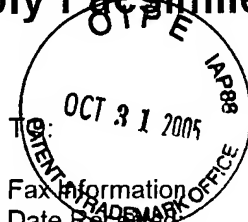
Improper filing of an RCE along with the lacking of the funding for RCE and extension of time has not been paid. (Miss Floy Ruth (LIE) indicates that applicants fail to submission paper for RCE and insufficient funding to payment).

MINH TRINH
PRIMARY EXAMINER

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

ATTACHMENT 1

Auto-Reply Facsimile Transmission



Fax Sender at 19496600809

Fax Information
Date Received:
Total Pages:

6/28/2004 5:45:13 PM [Eastern Daylight Time]
11 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page

=====>

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IRVINE, CALIFORNIA 92618
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E-MAIL: jcpi@email.msn.com

CERTIFICATE OF TRANSMISSION

June 28, 2004

Atty Docket No. :	JCLA3482
Appl. No. :	10/034,030
Filing Date :	December, 19, 2001
Pages :	Cover + 10

BY FACSIMILE ONLY

Fax No. :	703-872-9306
Attention :	EXAMINER: TRINH, MINH N.
Group Unit :	3729
From :	Jiawei Huang, Reg. No. 43,330
MESSAGE :	Enclosed herewith is an Amendment in 10 pages.

Sir:

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on **June 28, 2004** at the above indicated fax number.

Sign by: Michelle Chang
Michelle Chang

Note: This facsimile transmission is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this transmission in error, please kindly notify us immediately, and return the original message to us at the above address. We greatly appreciate your cooperation.



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CERTIFICATE OF TRANSMISSION

June 28, 2004

Atty Docket No. :	JCLA8482
Appl. No. :	10/034,030
Filing Date :	December, 19, 2001
Pages :	Cover + 10

BY FACSIMILE ONLY

Fax No. :	703-872-9306
Attention :	EXAMINER : TRINH, MINH N.
Group Unit :	3729
From :	Jiawei Huang, Reg. No. 43,330
MESSAGE :	Enclosed herewith is an Amendment in 10 pages.

Sir:

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on **June 28, 2004** at the above indicated fax number.

Sign by:


Michelle Chang

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of :)		
)		
HORNG ET AL.)	Examiner	: TRINH, MINH N
)		
Serial No. : 10/034,030)	Art Unit	: 3729
)		
Filed : 12/19/2001)	Docket No.	: JCLA8482
)		
For : METHOD OF FABRICATING)		
A CERAMIC SUBSTRATE WITH)		
A THERMAL CONDUCTIVE PLUG)		
OF A MULTI-CHIP PACKAGE)		

No fee is believed to be due. However, the Commissioner is authorized to charge any fees required in connection with the filing of this paper to account No. 50-0710 (Order No. JCLA8482).

AMENDMENT AFTER FINAL

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Office Action mailed 04/02/2004 has been carefully considered. In response thereto, please enter the following amendments and consider the following remarks.

AMENDMENTS

In The Claim:

1. (currently amended) A method of fabricating a ceramic substrate~~[-with-a-thermal conductive plug of a multi-chip package]~~, wherein the method comprises:

providing a plurality of green tapes;

forming a plurality of conductive openings and thermal conductive openings passing through the green tapes;

after forming the conductive openings and the thermal conductive openings, filling a metal paste into the conductive openings and the thermal conductive openings;

after filling the metal paste into the conductive openings and the thermal conductive openings, stacking the green tapes together, wherein the metal paste inside the conductive openings of every green tape is in contact with its neighboring metal paste within the conductive openings of the green tapes, the metal paste inside the thermal conductive openings of each green tape is in contact with its neighboring metal paste inside the thermal conductive openings;

after stacking the green tapes together, cofiring those green tapes and the metal paste to form a pre-substrate, wherein the pre-substrate comprises an insulating structure, a plurality of thermal conductive plugs and conductive plugs, the insulating structure is formed by cofiring the green tapes so that a plurality of conductive plugs are formed by cofiring the metal paste in the conductive openings and a plurality of thermal conductive plugs are formed by cofiring the metal paste inside the thermal conductive openings, the pre-substrate further comprises a top surface

and a bottom surface;

performing a planarization process after cofiring the green tapes and the metal paste;

forming a first metal film on the top surface of the pre-substrate;

forming a second metal film on the bottom surface of the pre-substrate;

patterning the first metal film to form a plurality of die pads and conductive traces, the die pads in contacted with the thermal conductive plugs and the conductive traces in contacted with the conductive plugs;

adhering a plurality of chips on the die pads; and

electrically connecting the chips to the conductive traces.

2. (previously presented) The method of claim 1, wherein a machine punching method is utilized to form the conductive openings and the thermal conductive openings passing through the green tapes.

3. (original) The method of claim 1, wherein a stencil printing method is utilized to fill the metal paste into the conductive openings and the thermal conductive openings.

4. (original) The method of claim 1, wherein a method of forming the first metal film comprises a sputtering deposition or an evaporation method.

5. (original) The method of claim 1, wherein a method of forming the second metal film comprises a sputtering deposition or an evaporation method.

Claim 6. (Canceled)

7. (currently amended) The method of claim ~~[[6]]~~1, wherein the ~~[planarizing]~~ planarization process is carried out to planarize the top surface of the pre-substrate by a polishing method.

8. (currently amended) The method of claim ~~[6]~~1, wherein the ~~[planarizing]~~ planarization process is carried out to planarize the bottom surface of the pre-substrate by a polishing method.

9. (currently amended) The method of claim ~~[6]~~1, wherein a flat insulating layer is formed on the top surface of the pre-substrate during the ~~[planarizing]~~ planarization process, and a plurality of openings are formed through the insulating layer to expose the conductive plugs and the thermal conductive plugs.

10. (currently amended) The method of claim ~~[6]~~1, wherein a flat insulating layer is formed on the bottom surface of the pre-substrate during the ~~[planarizing]~~ planarization process, and a plurality of openings are formed through the insulating layer to expose the conductive plugs and the thermal conductive plugs.

Claim 11. (canceled)

12. (previously presented) The method of claim 1, wherein photolithographic and etching techniques are used to pattern the first metal film.

13. (previously presented) The method of claim 1, wherein the pre-substrate further comprises a plurality of aligning-mark holes, which are formed like cavity-shaped holes and are used to align a mask layer to the pre-substrate.

14. (previously presented) The method of claim 13, wherein a fabricating method of the aligning-mark holes, comprising

forming a plurality of aligning holes passing through at least one of the green tapes while forming the conductive openings and the thermal conductive openings passing through ~~on~~ the green tapes;

stacking together with the green tapes with the aligning holes, going with the aligning holes aligned with each other, and stacking together with the green tapes without the aligning holes while stacking the green tapes together; and

forming the aligning-mark holes from the aligning holes after cofiring the green tapes and the metal paste.

Claims 15-25 (canceled)

26. (currently amended) A method of fabricating a ceramic substrate~~[-with-a-thermal conductive plug]~~, comprising:

providing a plurality of green tapes;

forming a plurality of thermal conductive openings passing through the green tapes;

after forming the thermal conductive openings, filling a metal paste into the thermal

conductive openings;

after filling a metal paste into the thermal conductive openings, stacking the green tapes together, wherein the metal paste inside the thermal conductive openings of the green tapes is in contact with its neighboring metal paste inside the thermal conductive openings;

after stacking the green tapes together, cofiring those green tapes and the metal paste to form a pre-substrate, wherein the pre-substrate comprises an insulating structure, at least a thermal conductive plug, the insulating structure is formed by cofiring the green tapes and the thermal conductive plug is formed by cofiring the metal paste inside the thermal conductive openings;

performing a planarization process after cofiring the green tapes and the metal paste;

forming a metal film on the pre-substrate; and

patterning the first metal film to form at least a die pad, and the die pad is in contact with the thermal conductive plug.

27. (previously presented) The method of claim 26, wherein a machine punching method is utilized to form the thermal conductive openings passing through green tapes.

28. (previously presented) The method of claim 26, wherein a stencil printing method is utilized to fill the metal paste into the thermal conductive openings.

29. (original) The method of claim 26, wherein a method of forming the metal film on the pre-substrate comprises a sputtering deposition or an evaporation method.

Claim 30. (canceled)

31. (currently amended) The method of claim [30]26, wherein the [~~planarizing~~] planarization process is carried out to planarize the pre-substrate by a polishing method.

32. (currently amended) The method of claim [30]26, wherein a flat insulating layer is formed on the pre-substrate during the [~~planarizing~~] planarization process, and at least an opening is formed through the insulating layer to expose the thermal conductive plug.

Claim 33. (canceled)

34. (previously presented) The method of claim 26, wherein photolithographic and etching techniques are used to pattern the first metal film.

35. (previously presented) The method of claim 26, wherein pre-substrate further comprises a plurality of aligning-mark holes, which are formed like cavity-shaped holes and are used to align a mask layer to the pre-substrate.

36. (previously presented) The method of claim 35, wherein a fabricating method of the aligning-mark hole, comprising

forming a plurality of aligning holes passing through on at least one of the a green tapes while forming the thermal conductive openings passing through the green tapes;

stacking together with the green tapes with the aligning holes, going with the aligning holes aligned with each other, and stacking together with the green tapes without the aligning

holes while stacking the green tapes together; and

forming the aligning-mark holes from the aligning holes after cofiring the green tapes and the metal paste.

Claims 37-49 (canceled)

REMARKS

Present Status of the Application

Applicants appreciate that claims 6-10, 13, 14, 30-32, 35 and 36 are considered to be allowable.

Claims 1-5, 11, 12, 26-29, 33, 34 and 37-43 are rejected. Specifically, claims 26 and 40 are rejected under 35 U.S.C. 102(b) as being anticipated by Araki et al. (US 5,855,711; hereinafter Araki). Claims 27-29, 33, 34, 37-39, 42 and 43 are rejected under 35 U.S.C 103(a) as being unpatentable over Araki. Claims 1-5 and 11-12 are rejected under 35 U.S.C 103(a) as being unpatentable over Araki in view of Watanabe et al. (US 6,326,561; hereinafter Watanabe). Applicants have amended independent claims 1 and 26 and cancelled allowable claim 6 and 30, which are recited in the independent claims 1 and 26. Claims 11, 33 and 37-49 haven been cancelled.

Response To Objections/Rejections

Applicants have amended claims 1 and 26 to recite the allowable features about planarization in original claims 6 and 30.

Claims 11 and 33 have been cancelled due to typo errors.

After the planarization process, the substrate can be used in semiconductor process, such as deposition, photolithographic and etching processes, as for example described in paragraphs [0023] - [0027].

For at least the foregoing reasons, Applicant respectfully submits that independent claims 1, 26 patently define over the prior art references, and should be allowed. For at least the same reasons, dependent claims 2-10, 12-14, 27-32, 34-36 patently define over the prior art references as well.

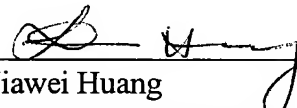
CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1-10, 12-14 and 26-32, 34-36 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Date: 6/28/2004

4 Venture, Suite 250
Irvine, CA 92618
Tel.: (949) 660-0761
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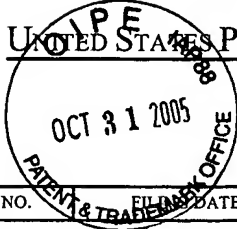
Respectfully submitted,
J.C. PATENTS



Jiawei Huang
Registration No. 43,330



UNITED STATES PATENT AND TRADEMARK OFFICE



ATTACHMENT 2

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
www.uspto.gov

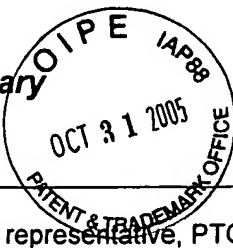
APPLICATION NO.	FILED DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,030	12/19/2001	Gwo-Ji Horng	JCLA8482	9497
7590 09/27/2004				
J.C. Patents, Inc. 4 Venture, Suite 250 Irvine, CA 92618				
			EXAMINER TRINH, MINH N	
			ART UNIT 3729	PAPER NUMBER

DATE MAILED: 09/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Examiner
Ph no: (571) 272-4569

Interview Summary



Application No.

10/034,030

Applicant(s)

HORNG ET AL.

Examiner

Minh Trinh

Art Unit

3729

All participants (applicant, applicant's representative, PTO personnel):

(1) Minh Trinh.

(3) _____.

(2) Huang Jiawei.

(4) _____.

Date of Interview: 22 September 2004.

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____.

Claim(s) discussed: None.

Identification of prior art discussed: None.

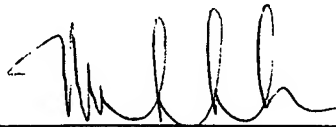
Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicants restate that the AF amendment submitted to the Office on about 6/28/2004 and until today 9/22/04 they have not receive any response base on their AF amendment from the Office and they are worried about the approaching due date coming up . However, the Examiner indicates that their AF amendment has been listed on PALM but not available on IFW (eDan) or Examiner's special docket for processing at the time.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

 - 9/22/04
Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent and Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

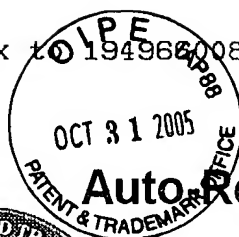
A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.



ATTACHMENT 3

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 19496600809

Fax Information

Date Received:

10/4/2004 8:13:54 PM [Eastern Daylight Time]

Total Pages:

2 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page

=====>

Request For Continued Examination (RCE) Transmittal Address to: Commissioner for Patents Box RCE P.O. Box 1450, Alexandria, VA 22313-1450 Fax no.: (703) 872-9306	Application No. :	10/034,030
	Filing Date :	December 19, 2001
	First Named Inventor :	GWO-JI HORNG
	Group Art Unit :	3729
	Examiner :	TRINH, MINH N.
	Attorney Docket No. :	JCLA8482-R

This is a Request for Continued Examination (RCE) under 37 C.F.R. 1.114 of the above-identified application.

1. Submission required under 37 CFR § 1.114.

- a. ☒ Previously submitted
☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on June 28, 2004
☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- b. ☐ Enclosed
☐ Preliminary Amendment.
☐ Other _____

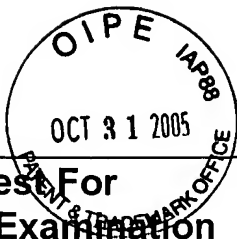
2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months.
- b. ☐ Associate Power of Attorney.

3. Fees are calculated as follows:

		CLAIMS AS FILED			
NUMBER FILED		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Basic Fee				\$ 790	\$ 790
Total Claims	21	MINUS 20	= 1 x	\$ 18	= \$ 18
Independent Claims	2	MINUS 3	= 0 x	\$ 88	= \$ 0
[3] month(s) extension of time is hereby requested.				Time Extension Fee	= \$ 980
				Total:	\$ 1788

PATENT



Request For Continued Examination (RCE) Transmittal Address to: Commissioner for Patents Box RCE P.O. Box 1450, Alexandria, VA 22313-1450 Fax no.: (703) 872-9306	Application No. :	10/034,030
	Filing Date :	December 19, 2001
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a. [X] Previously submitted

- (X) Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on June 28, 2004
 () Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

b. [] Enclosed

- () Preliminary Amendment.
 () Other _____

2. Miscellaneous

- a. () Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months.
 b. () Associate Power of Attorney.

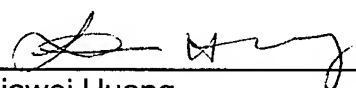
3. Fees are calculated as follows:

		CLAIMS AS FILED				
	NUMBER FILED		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Basic Fee					\$ 790	\$ 790
Total Claims	21	MINUS	20	= 1 x	\$ 18	= \$ 18
Independent Claims	2	MINUS	3	= 0 x	\$ 88	= \$ 0
[3] month(s) extension of time is hereby requested.				Time Extension Fee	= \$ 980	
Total:						\$ 1788

PATENT

- a. ☐ Check in the amount of \$ _____ enclosed
- b. ☒ The Commissioner is hereby authorized to charge the filing fee in the amount of \$ 1788 as calculated above and any additional fee required in connection with filing of this application, or credit any overpayments, to Deposit Account No. 50-0710 (Order No. JCLA8482-R).
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17).

Date: 10/4/2004


Jiawei Huang
Registration No. 43,330

Please send correspondence to:

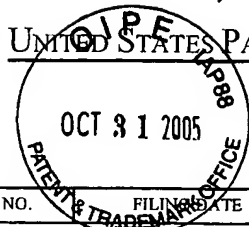
J.C. Patents
4 Venture Suite: 250
Irvine, CA. 92618
Tel.: (949) 660-0761
Fax: (949)-660-0809

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on **October 4, 2004**.

Signature: 
Jiawei Huang

ATTACHMENT 4

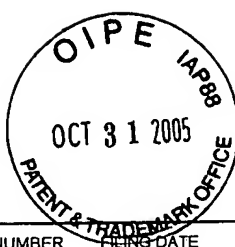


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,030	12/19/2001	Gwo-Ji Horng	JCLA8482	9497
7590		10/22/2004		
J.C. Patents, Inc. 4 Venture, Suite 250 Irvine, CA 92618				
EXAMINER				
TRINH, MINH N				
ART UNIT		PAPER NUMBER		
3729				
DATE MAILED: 10/22/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.



Commissioner for Patents
United States Patent and Trademark Office

P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

APPLICATION NUMBER FILING DATE

FIRST NAMED APPLICANT

ATTY. DOCKET NO./TITLE

10/034 030

DATE MAILED:

NOTICE OF IMPROPER REQUEST FOR CONTINUED EXAMINATION (RCE)

The request for continued examination (RCE) under 37 CFR 1.114 filed on 10/6/04 is improper for reason(s) indicated below:

- ☐ 1. Continued examination under 37 CFR 1.114 does not apply to an application for a design patent. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d). An RCE cannot be treated as a CPA.
- ☐ 2. Continued examination under 37 CFR 1.114 does not apply to an application that was filed before June 8, 1995. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b).
- ☐ 3. Continued examination under 37 CFR 1.114 does not apply to an application unless prosecution in the application is closed. If the RCE was accompanied by a reply to a non-final Office action, the reply will be entered and considered under 37 CFR 1.111. If the RCE was not accompanied by a reply, the time period set forth in the last Office action continues to run from the mailing date of that action.
- ☐ 4. The request was not filed before payment of the issue fee, and no petition under 37 CFR 1.313 was granted. If this application has not yet issued as a patent, applicant may wish to consider filing either a petition under 37 CFR 1.313 to withdraw this application from issue, or a continuing application under 37 CFR 1.53(b).
- ☐ 5. The request was not filed before abandonment of the application. The application was abandoned, or proceedings terminated on _____. Applicant may wish to consider filing a petition under 37 CFR 1.137 to revive this abandoned application.
- ☐ 6. The request was not accompanied by the fee set forth in 37 CFR 1.17(e) as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.
- ☐ 7. The request was not accompanied by a submission as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.

Note: A continued prosecution application (CPA) under 37 CFR 1.53(d) cannot be filed in a utility or plant application. A CPA filed in a utility or plant application that has a filing date **on or after June 8, 1995** will be treated as an RCE under 37 CFR 1.114. The request for a CPA in the instant application, however, has been treated as an improper RCE for the reason(s) indicated above.

A copy of this notice MUST be returned with any reply.

Direct the reply and any questions concerning this notice to:

Emily d, Technology Center 3200
(703) 305 - 3575

Transmission Report

ATTACHMENT 5

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Local Name
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J.C. PATENTS
4 VENTURE, SUITE 250
IRVINE, CALIFORNIA 92618
TEL: (949) 660-0781
FAX: (949) 660-0809
E-MAIL: jcp@smail.msn.com

FAX TRANSMISSION SHEET

October 28, 2004
Our Ref : JCLA3482-R
Appl. No : 10/034,030
Filing Date : December 19, 2001
Pages : Cover + 11

BY FACSIMILE ONLY

FAX : 703-746-3441
ATTN : Examiner Ms. Marilyn Ratts
United States Patent and Trademark Office
Group Unit : 3729
FROM : Jiawei Huang, Reg. No.: 43,330
MESSAGE : Greatly appreciate your help, enclosed herewith please find a copy of the Amendment After Final previously filed on 06/28/2004.

Sir:

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on October 28, 2004 at the above indicated fax number.

Sign by:

Michelle Chang

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BC: Broadcast Send	MP: Multi-Poll	PG: Polling a Remote	PI: Power Interruption
CP: Completed	RM: Receive to Memory	DR: Document Removed	TM: Terminated by user
HS: Host Scan	HP: Host Print	FO: Forced Output	WT: Waiting Transfer
HF: Host Fax	HR: Host Receive	FM: Forward Mailbox Doc.	WS: Waiting Send



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J.C. PATENTS
4 VENTURE, SUITE 250
IRVINE, CALIFORNIA 92618
TEL.: (949) 660-0761
FAX: (949) 660-0809
E-MAIL: jcpi@email.msn.com

FAX TRANSMISSION SHEET

October 28, 2004

Our Ref : JCLA8482-R
Appl. No. : 10/034,030
Filing Date : December 19, 2001
Pages : Cover + 11

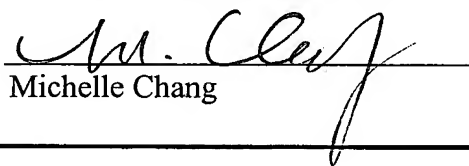
BY FACSIMILE ONLY

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ATTACHMENT 6



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Patent and
Trademark Office**

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Deposit Account Statement

Requested Statement Month:	October 2004
Deposit Account Number:	500710
Name:	J C PATENTS INC
Attention:	JIAWEI HUANG
Address:	4 VENTURE,SUITE 250
City:	IRVINE
State:	CA
Zip:	92618
Country:	UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
10/01	6	09667836	JCLA6695	1252	\$420.00	\$37,392.00
10/01	249	09710704	JCLA5122	1501	\$1,330.00	\$36,062.00
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10/28 256	09948871	JCLA6436	1501	\$1,370.00	\$20,564.00
10/28 257	09948871	JCLA6436	1504	\$300.00	\$20,264.00
10/28 258	09948871	JCLA6436	8001	\$9.00	\$20,255.00
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10/28 261	10198900	JCLA6922-CIP	8001	\$9.00	\$19,261.00
10/28 337	10289866	JCLA09819	1501	\$1,370.00	\$17,891.00
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10/28 339	10289866	JCLA09819	8001	\$9.00	\$17,582.00
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10/28 343	10019731	EHAR0014	2501	\$685.00	\$15,218.00

START	SUM OF
BALANCE	CHARGES
\$37,812.00	\$22,659.00

SUM OF	END
REPLENISH	BALANCE
\$65.00	\$15,218.00

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